

1 KEVIN F. KIEFFER (Nevada Bar No. 7045)
kevin.kieffer@troutmansanders.com
2 LAUREN E. GROCHOW (admitted *pro hac vice*)
lauren.grochow@troutmansanders.com
3 TROUTMAN SANDERS LLP
5 Park Plaza, Suite 1400
4 Irvine, CA 92614-2545
Telephone: 949.622.2700
5 Facsimile: 949.622.2739

6 MERRIL HIRSH (admitted *pro hac vice*)
merril.hirsh@troutmansanders.com
7 CANDICE C. SHANG (admitted *pro hac vice*)
candice.shang@troutmansanders.com
8 TROUTMAN SANDERS LLP
401 9th St., N.W., Suite 1000
9 Washington, D.C. 20005
Telephone: 202.274.2950

10 CRAIG R. DELK (Nevada Bar No. 2295)
CRD@thorndal.com
11 THORNDAL, ARMSTRONG, DELK
12 BALKENBUSH & EISINGER
1100 E. Bridger Avenue
13 Las Vegas, NV 89101
Telephone: 702.366.0622
14 Facsimile: 702.366.0327

15 *Attorneys for Plaintiff-Relator Joshua Luke*

16 UNITED STATES DISTRICT COURT

17 DISTRICT OF NEVADA

18 UNITED STATES OF AMERICA, *ex*
19 *rel.*, Joshua Luke,

20 Plaintiff,

21 v.

22 HEALTHSOUTH CORPORATION, *et*
al.

23 Defendants.

Case No. 2:13-cv-01319-APG-VCF

**STIPULATION AND
ORDER PERMITTING A
CONSOLIDATED OPPOSITION AND
CONSOLIDATED REPLY WITH
CONSOLIDATED PAGE LIMITS ON
DEFENDANTS' THREE MOTIONS TO
DISMISS**

24 Plaintiff-Relator Joshua Luke by and through his undersigned counsel, and Defendants
25 HealthSouth Corporation, HealthSouth of Henderson, Inc., Kenneth Bowman, Jerry Gray, and
26 Jaya Patel ("Defendants"), by and through their undersigned counsel of record, hereby stipulate
27 and agree, subject to the Court's approval as follows:
28

1 1. On July 24, 2017, Defendants filed three motions to dismiss in this action – a
2 joint motion (Dkt. No. 58); a Motion by Defendants HealthSouth of Henderson, Jaya Patel,
3 Kenneth Bowman, and Jerry Gray filed a Motion to Dismiss for Failure to State a Claim or, in
4 the Alternative, for a More Definite Statement and Supporting Memorandum Based on the
5 Limitation of “Count One” on July 24, 2017 (Dkt. No. 59) and a Motion by Defendants
6 HealthSouth Corporation and Jerry Gray filed a Motion to Dismiss for Failure to State a Claim
7 Based on Alleged “Inaction” on July 24, 2017 (Dkt. No. 60). Together, the three briefs in
8 support of these motions total 38 pages. Dr. Luke’s response is due to be filed August 7, 2017.
9 Defendants’ reply is due to be filed August 14, 2017.

10 2. Dr. Luke believes that it will be simpler and more efficient to file one
11 consolidated response, rather than burden the Court with three briefs each of which could
12 (under the rules) be as long as 25 pages. By consolidating the briefing, Dr. Luke would file a
13 single brief that would be no longer than the combined length of Defendants’ three briefs.

14 3. Likewise, and for the same reasons, Defendants would file a single consolidated
15 reply brief that would be no longer than one-half the combined length of Defendants’ three
16 briefs.

17 4. Accordingly, the parties respectfully request that (1) Dr. Luke be permitted to
18 file a single consolidated opposition in one brief limited to no more than 38 pages, and
19 (2) Defendants be permitted to file a single consolidated reply brief limited to no more than 19
20 pages.

21
22 **IT IS SO ORDERED.**

23 Dated: August 2, 2017.

24
25 
26 _____
27 UNITED STATES DISTRICT JUDGE
28

1 DATED this 1st day of August, 2017.

2 TROUTMAN SANDERS LLP

3 /s/ Kevin Keiffer
4 KEVIN F. KEIFFER, ESQ.
5 Nevada Bar No. 7045
6 5 Park Plaza, Suite 1400
7 Irvine, CA 92614-2545

8 THORNDAL, ARMSTRONG, DELK,
9 BALKENBUSH & EISINGER

10 CRAIG R. DELK, ESQ.
11 Nevada Bar No. 2295
12 1100 E. Bridger Avenue
13 Las Vegas, NV 89101

14 *Attorneys for Plaintiff-Relator Joshua Luke*

PISANELLI BICE, PLLC

/s/ James Pisanelli
JAMES J. PISANELLI ESQ.
Nevada Bar No. 4027
400 S. 7th Street, Suite 300
Las Vegas, NV 89101

NORTON ROSE FULBRIGHT US LLP

/s/ R. Jeffrey Layne
R. JEFFREY LAYNE, ESQ.
Admitted pro hac vice
98 San Jacinto Blvd., Suite 1100
Austin, TX 78701-4255

*Attorneys for Defendants HealthSouth Corp.
And HealthSouth of Henderson, Inc.*

SEMENZA KIRCHER RICKARD

/s/ Christopher D. Kircher
CHRISTOPHER D. KIRCHER, ESQ.
Nevada Bar No. 11176
10161 Park Run Drive, Suite 150
Las Vegas, NV 89145

BRADLEY ARANT BOULT
CUMMINGS LLP

/s/ Elizabeth Hamrick
ELIZABETH HAMRICK, ESQ.
Nevada Bar No. 9414
200 Clinton Avenue West, Suite 900
Huntsville, AL 35801

*Attorneys for Defendants Jaya Patel,
Kenneth Bowman, and Jerry Gray*

IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: _____